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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)

Civil No. 07cv2100-DMS(AJB)

11 Plaintiff,)

12 v.)

ORDER GRANTING MOTION FOR
JUDGMENT BY DEFAULT AGAINST
JEREMY CAO, CRAIG LAKE, AND
ALL POTENTIAL CLAIMANTS

13 ONE 2006 BENTLEY FLYING SPUR)
14 SEDAN, CALIFORNIA LICENSE)
NO. 5GAG721)
15 VIN SCBBR53WX6C036543,)
ITS TOOLS AND APPURTENANCES,)

16 Defendant.)
17)

18 This matter comes before the Court on the Government's motion for an order granting it
19 default judgment. No written opposition to the motion was filed or otherwise received. Based
20 upon the Government's motion and upon review of the Court's file in this matter, IT IS HEREBY
21 ORDERED:

22 1. The Government's motion is GRANTED.

23 2. The Court makes the following findings and conclusions:

24 a. On November 2, 2007, a Complaint for Forfeiture was filed in the above
25 action in the United States District Court for the Southern District of California against the above
26 defendant. On January 11, 2008, the defendant was seized and arrested by the United States Secret
27 Service, who thereafter took possession and custody of the defendant, pursuant to the Court's Order
28 appointing the United States Secret Service as custodian, dated November 5, 2007.

b. On November 30, December 7, and December 14, 2007, pursuant to Rule G(5), Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, notice was published in the San Diego Commerce.

c. On November 5, 2007, a Notice of Complaint and a copy of the Complaint for Forfeiture were sent by certified mail as follows:

<u>Name and address</u>	<u>Article No.</u>	<u>Result</u>
Jeremy Cao 13 Allyssum Rancho Santa Margar, CA 92688	70042510000330174069	Signed for as Received on 11/16/07
Craig Lake 7951 Broadway Lemon Grove, CA 91945	70042510000330174052	Signed for as Received on 11/07/07

From the time of said notice, no claim or answer has been filed regarding the above-named defendant.

d. On January 30, 2008, a Declaration of and Request for Clerk's Entry of Default was filed in this case. A Clerk's Entry of Default was issued on January 30, 2008, and a copy is hereby attached as Exhibit 2.

e. On February 5, 2008, the Government filed its Notice of Motion and Motion for Judgment by Default as to Jeremy Cao, Craig Lake, and All Potential Claimants.

f. Plaintiff's verified Complaint for Forfeiture sets forth adequate evidence demonstrating the forfeitability of the Defendant vehicle and no one has come forward to dispute the facts. The Government has demonstrated by a preponderance of the evidence that the Defendant vehicle constitutes, or is derived from, proceeds traceable to violations of Title 18, United States Code Sections 1341, mail fraud, and 1343, wire fraud and is subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1) because it is property involved in, or is traceable to property involved in, violations of Title 18, United States Code Section 1957, money laundering.

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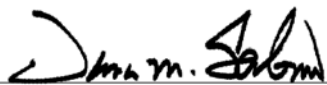
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1 3. The Defendant vehicle is hereby condemned and forfeited to the United States of
2 America pursuant to Title 18, United States Code, Section 981(a)(1). Judgment shall be entered
3 on Plaintiff's complaint in favor of the United States of America,

4 4. Costs incurred by the United States Secret Service and any other governmental
5 agencies which were incident to the seizure, custody and storage of the Defendant vehicle shall be
6 the first charge against the forfeited Defendant vehicle.

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8 DATED: March 14, 2008

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11 _____
12 HON. DANA M. SABRAW
13 United States District Judge
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